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DRAFT

ORDINANCE NO. _____ (NEW SERIES)

AN ORDINANCE AMENDING THE ZONING ORDINANCE TO INTRODUCE BOUTIQUE WINERIES AS A PACKING AND PROCESSING USE TYPE

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1. The Board of Supervisors finds and determines that the following amendments of the Zoning Ordinance to introduce Boutique Wineries as a Packing and Processing Use Type and to allow a Boutique Winery as a permitted use in the Agricultural Use Regulations are reasonable and necessary for the public health, safety, convenience, and welfare and are consistent with the General Plan.

Section 2. Section 1205.e of the San Diego County Zoning Ordinance is hereby amended to read as follows:

e. Agricultural Use Types.

Horticulture: Cultivation
Horticulture: Storage
Tree Crops
Row and Field Crops
Animal Raising
Animal Waste Processing
Packing and Processing: Limited
~~Packing and Processing: Winery~~
Packing and Processing: General
Packing and Processing: Support
Packing and Processing: Winery
Packing and Processing: Boutique Winery
Packing and Processing: Wholesale Limited Winery
Agricultural Equipment Storage:

Section 3. Section 1735 of the San Diego County Zoning Ordinance is hereby amended to read as follows:

1735 PACKING AND PROCESSING.

Packing and Processing refers to packing and processing of fresh agricultural products and does not include cooking, canning, tanning, rendering and reducing operations which are general industrial uses. Following are categories of Packing and Processing use types:

- a. Packing and Processing: Limited. The customary preparation for market of fresh produce, flowers, feed, fiber, milk, eggs, rabbits, poultry and other similarly sized small or specialty animals raised for human consumption, produced on the same premises as the packing and processing operation.
- ~~b. Packing and Processing: Winery. Crushing of grapes, berries and other fruits and fermentation, storage and bottling of wine from fruit grown on or off the premises. A winery may also include a tasting room and retail outlet as a secondary use.~~
- ~~e.b.~~ Packing and Processing: General. The customary preparation for market of fresh produce, flowers, feed, fiber, milk, eggs, rabbits, poultry and other similarly sized small or specialty animals raised for human consumption, produced on premises other than that upon which the packing and processing operation is located.
- ~~d.c.~~ Packing and Processing: Support. Fabrication, assembly, reconditioning and sale of boxes, cartons, crates and pallets for handling and transporting crops provided this use is secondary to agricultural or horticultural production on the premises.
- d. Packing and Processing: Winery. Crushing of grapes, berries and other fruits and fermentation, storage and bottling of more than 12,000 gallons of wine per year from fruit grown on or off the premises. A Winery may also include a tasting room, retail outlet and/or events as secondary uses.
- e. Packing and Processing: Boutique Winery. Crushing of grapes, berries and other fruits and fermentation, storage and bottling of up to 12,000 gallons of wine per year from fruit grown on or off the premises, subject to the following criteria.
 - 1. Wine Production shall be limited to not more than 12,000 gallons annually.
 - 2. Structure(s) used for wine production shall be subject to the restrictions and limitations specified in Section 6156. Wine production includes crushing, fermenting, bottling, bulk & bottle storage, shipping, receiving, laboratories, equipment storage and maintenance.
 - 3. One tasting/retail sales room is allowed. The tasting/retail sales room shall be accessory to wine production and shall not exceed 30% of the total square footage of the structure(s) identified in Section 1735.e.2 above.
 - 4. The tasting/retail room may provide pre-packaged food that does not require refrigeration and this food may be consumed on the premises. Catered food service is allowed at Winery Marketing Events, but no food preparation is allowed at the Boutique Winery.
 - 5. The tasting/retail room is allowed to operate from 10 a.m. until legal sunset seven day a week.
 - 6. 75% of wine sold must be made from grapes grown in San Diego County, of which 35% must be made from grapes grown on-site. A new Boutique Winery is exempt from the minimum percentage of San Diego County grapes for the first

three years after planting the vineyard. The County Department of Agriculture, Weights & Measures shall have the authority to suspend the minimum percentages for a specified amount of time for all Boutique Wineries during adverse environmental circumstances or extreme economic conditions.

7. Parking shall be provided to comply with the Parking Requirements in Section 6778 for Agricultural, Industrial, and Wholesale Storage. In computing parking requirements, the gross floor area of all structures associated with the boutique winery shall be counted, including production areas, tasting room and retail areas. No parking for the boutique winery is allowed off the premises of the winery.
 8. Boutique Wineries located on and accessed by a private road shall have formed a Permanent Road Division Zone or obtain a Major Use Permit.
 9. The on-site driveway and parking area shall be surfaced with Chip Seal, gravel or an alternative surfacing material such as recycled asphalt suitable for lower traffic levels.
 10. Four Winery Marketing Events are allowed each year and each must end by legal sunset. A Winery Marketing Event refers to the congregation of persons within the winery and tasting/retail room facilities for the purpose of promoting the wine industry and marketing wine. Winery Marketing Events include wine tasting and the sale of wine. Marketing Events include activities or events such as educational wine tours for the public, non-profit community fund raising, private seminars for distributor and sales representatives, and events for wine industry groups.
 11. Amplified sound is not allowed, including during indoor or outdoor Winery Marketing Events.
 12. Indoor or outdoor events such as weddings or other gatherings involving the public are not allowed.
 13. Outdoor eating areas shall be limited to a maximum of 5 tables to accommodate no more than 10 people.
 14. Vehicles with a capacity in excess of 12 passengers are not allowed.
 15. One on-site sign up to 12 square feet.
- e.f. Packing and Processing: Wholesale Limited Winery. Crushing of grapes, berries and other fruits for the fermentation, storage, bottling and wholesaling of wine from fruit grown on or off the premises, subject to the following criteria.
1. Retail activities, tasting rooms, and/or special events associated with the winery operation are prohibited.

2. The maximum floor area of non-residential structure(s) used to crush, ferment, store and bottle fruit, wine and other products and equipment used in winemaking is limited to 1,000 square feet where the lot is less than one gross acre. A maximum floor area of 1,500 square feet is permitted where the lot is one acre or more but less than 2 acres gross, and 2,000 square feet of floor area is permitted where the lot is 2 to 4 acres gross. An additional 200 square feet of floor area is permitted for each acre over 4 acres, up to a maximum of 5,000 square feet.
3. Up to 75 percent of the fruit used in winemaking may be imported from off the premises while the remainder shall be grown on the premises.
4. Wine production shall be limited to not more than 7,500 gallons annually.

Section 4. Section 2702 of the San Diego County Zoning Ordinance is hereby amended to read as follows:

2702 PERMITTED USES.

The following use types are permitted by the A70 Use Regulations:

- a. Residential Use Types.
Family Residential
- b. Civic Use Types.
Essential Services
Fire Protection Services (see Section 6905)
- c. Agricultural Use Types.
Horticulture (all types)
Tree Crops
Row and Field Crops
Packing and Processing: Limited
Packing and Processing: Boutique Winery
Packing and Processing: Wholesale Limited Winery

Section 5. Section 2722 of the San Diego County Zoning Ordinance is hereby amended to read as follows:

2722 PERMITTED USES.

The following use types are permitted by the A72 Use Regulations:

- a. Residential Use Types.
Family Residential

b. Civic Use Types.

Essential Services

Fire Protection Services (see Section 6905)

Law Enforcement Services (see Section 6905)

c. Agricultural Use Types.

Horticulture (all types)

Tree Crops

Row and Field Crops

Packing and Processing: Limited

Packing and Processing: Boutique Winery

Packing and Processing: Wholesale Limited Winery

Section 6. Effective Date. This Ordinance shall take effect and be in force thirty (30) days after the date of its passage, and before the expiration of fifteen (15) days after its passage, a summary shall be published once with the names of the members voting for and against the same in the Daily Commerce, a newspaper of general circulation published in the County of San Diego.